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JUSTICES OF THE PEACE IN ENGLAND

charge without trial, by a justice of the superior court sitting at a session for criminal business in and for the county in which the indictment was found. The judge or justice, upon application by the person acquitted or discharged, shall give a hearing at which such person or his representative may be present, if he so desires, and the district attorney or other officer representing the commonwealth or the county may also be present, and the person acquitted or discharged and the commonwealth or county may offer testimony as in any civil case. The decision of the judge or justice shall be final.

SECTION 2. This act shall take effect upon its passage. [Approved June 22, 1911.] R. H. G.

Selection of Justices of the Peace in England.—There is a Royal Commission appointed in England to consider and report upon the selection of justices of the peace. In a report made to the commission by a committee of the Penal Reform League the following objections to the present method of selection are presented:

"First, the opinion is widely held that justices of the peace, especially in country districts, are, as the result of their mode of selection, in a large proportion of instances, biased in favor of the propertied classes.

"Second, it is objected that benches of justices are in danger of becoming mere juries, with the clerk acting as the judge to inform them as to the law and even instructing them as to the evidence. This is attributed primarily to the fact that chairmen of district councils sit on the bench *ex officio*, and thirdly to the practice of making political appointments which sometimes result in the appointment of justices who cannot speak English.

"It not infrequently happens that persons are recommended for appointment by members of parliament or prominent members of a political party as a reward for party service, and, though this is applicable to members of either party, still in country districts it is conservative views that for the most part provide the necessary qualification for appointment.

"We conclude, then, that there exists, for various reasons, considerable and wide spread want of confidence in the justices of the peace as at present selected, which of itself must militate against the successful administration of justice; that the selection of justices is often, if not generally, founded on, or influenced by, considerations other than their probable efficiency as magistrates; and that appointment to the Commission of the Peace is coveted in itself as a social distinction, and in some cases for the trade advantages."

Before suggesting improvement the committee undertakes to lay down what it understands to be the principles and ideals which should underlie any system of reform on this point it says:

"We think—and we understand that the best magistrates do, in fact, hold similar views—that a court of justice, especially a local court of summary jurisdiction, should be a place where all kinds of people, good and bad, high and low, can be sure of meeting with courtesy and sympathy, with impartial consideration and well-weighed judgment, and an appeal to, and faith in, their better nature. The court should be a place with a bracing and elevating tone and atmosphere, not depressing or humiliating. People should come there for moral assistance or for a helping hand, rather than for revenge or for punishment. In a word, a court should be a center for regenerative influences. And the justices who preside over it should be fit agents of such influences.

FINGER PRINTING IN NEW YORK CITY

We would lay special stress on the fact that, if the probation system is destined to meet with the public acceptance and development it seems to deserve, then the nature and general view of the courts must inevitably change gradually in the direction indicated in the foregoing paragraph; and one may reasonably hope that before long probation work will be the main work of the local courts. The present time, therefore, would appear to afford an excellent opportunity for commencing such an alteration in the methods of selecting magistrates as will pave the way for so desirable a development.

"It seems to follow naturally from the above considerations that the best security for the selection of efficient justices of the peace would be found in a greater development of the probation system, whereby a large body of cultured social workers of both sexes, derived, perhaps, from different strata of society, might be induced to devote themselves to practical dealing with the problems connected with crime. It should then become the practice to select magistrates from the best of these, thus securing exactly the character, capacities and experience required in a good magistrate.

"Doubtless most of them might have to be paid a good salary, and thus some considerable initial expense would be entailed. This, however, would almost certainly be recovered in money saved on prisons and other undesirable items, and many times over in moral and industrial gains." R. H. G.

POLICE—IDENTIFICATION.

Finger Printing in New York City Magistrates' Courts.—The Committee on Criminal Courts of the New York City Charity Organization Society, recently published a twelve-page pamphlet setting forth reasons why the finger print system should be extended in the Magistrates' Courts of that city, and giving an estimate of the probable cost of operating the system as it should be operated. The system has been used very successfully in the night court for women for about two years. The Committee recommends that the system be extended to all of the District Magistrates' Courts in the boroughs of Manhattan and the Bronx and that finger prints taken in one court be photographed and sent to the other courts. The salaries of nine additional employees and of supplies for one year are estimated at about \$24,000. By enabling the courts to distinguish first offenders and repeaters, however, this expenditure would be in the direction not only of increased efficiency, but also economy.

The Criminal Courts Committee of Brooklyn has urged also that the finger print system be established in the Magistrates' Courts of that borough. The cost is estimated at about \$15,000.

The following is taken verbatim from the pamphlet referred to above:

PRESENT DIFFICULTIES DUE TO THE LACK OF RECORDS.

"A visitor at either of the Night Courts, or at almost any day session of a Magistrate's court in New York, will see some person brought before the Magistrate on the charge of intoxication, and say, 'Judge, it is the first time.' It may be the first time or the second time or the twentieth time and this fact not be revealed by the records now in use. A careful study of the commitments to the Workhouse has shown that some men have been there for intoxication as often as forty, fifty and even sixty-five